



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

21 May – 01 June 2007

This report summarizes regulatory items reviewed by the NASA RRAC PC during the timeframe. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

ANPRM = Advance Notice of Proposed Rulemaking
CAA = Clean Air Act
CARB = California Air Resources Board
CDX = Central Data Exchange
CEC = California Energy Commission
CFC = Chlorofluorocarbon
CFR = *Code of Federal Regulations*
CO₂ = Carbon dioxide
COE = U.S. Army Corps of Engineers
DEA = Drug Enforcement Administration
DLSME = Defense Land Systems and
Miscellaneous Equipment
DoD = U.S. Department of Defense
DOT = U.S. Department of Transportation
EPA = U.S. Environmental Protection Agency
EPCRA = Emergency Planning and Community
Right-to-Know Act
F.A.C. = Florida Administrative Code
FAW = *Florida Administrative Weekly*
FDEP = Florida Department of Environmental
Protection
FR = *Federal Register*
F.S. = Florida Statutes
GSE = Ground storage equipment
HAP = Hazardous air pollutant
HCFC = Hydrochlorofluorocarbon
hp = Horsepower
IPCC = Intergovernmental Panel on Climate Change
KSC = Kennedy Space Center
LAC = Louisiana Administrative Code
LaRC = Langley Research Center
MAF = Michoud Assembly Facility
MSFC = Marshall Space Flight Center
MOU = Memorandum of Understanding
NAAQS = National Ambient Air Quality Standards
NAMS = National Air Monitoring Stations
NASA = National Aeronautics and Space
Administration
NESHAP = National Emission Standards for
Hazardous Air Pollutants
NMAC = New Mexico Administrative Code

NO_x = Nitrogen oxides
NPRM = Notice of Proposed Rulemaking
NWP = Nationwide Permit
OAC = Ohio Administrative Code
ODS = Ozone depleting substances
OEPA = Ohio Environmental Protection Agency
OMB = Office of Management and Budget
ORC = Ohio Revised Code
PALS = Plantwide applicability limits
PAMS = Photochemical Assessment Monitoring
Stations
PFAC = Perfluoroalkyl carboxylates
PFAS = Perfluoroalkyl sulfonates
PM = Particulate Matter
ppm = Parts per million
PSD = Prevention of significant deterioration
RIN = Regulatory Identification Number
ROD = Record of Decision
RRAC PC = Principal Center for Regulatory Risk
Analysis and Communication
SB = Senate Bill
SIP = State Implementation Plan
SLAMS = State or Local Air Monitoring Stations
SNAP = Significant New Alternatives Policy
SNUR = Significant New Use Rule
SP = Special Permit
SSP = Space Shuttle Program
TAC = Texas Administrative Code
TCA = Trichloroethane
TMDL = Total maximum daily load
TPDES = Texas Pollutant Discharge Elimination
System
TRI = Toxics Release Inventory
U.S. = United States
UST = Underground storage tank
VOC = Volatile organic compound
WSMR = White Sands Missile Range

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

| RRAC PC Tracking Number | Subject | Date | Citation | Type Action | Description | Suggested Actions |
|-------------------------|---|------------|-----------------------------|---------------|--|--|
| Fed-2007-94 | CAA – ODS SNAP: n-propyl bromide | 05/30/2007 | 72 FR 30141 | Final Rule | <p>Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances-n-Propyl Bromide in Solvent Cleaning [40 CFR Part 82]</p> <p>Lists n-propyl bromide as an acceptable substitute for methyl chloroform and CFC 113 in the solvent cleaning sector when used as a solvent in industrial equipment for metals cleaning, electronics cleaning, or precision cleaning. General metals, precision, and electronics cleaning includes cleaning with industrial cleaning equipment such as vapor degreasers, in-line cleaning systems, or automated equipment used for cleaning below the boiling point. This final action does not address the use of n-propyl bromide as an aerosol solvent or as a carrier solvent in adhesives or coatings. A separate proposed rule addresses these end uses (72 FR 30168). Neither this final nor the proposed rule issue a decision on other end uses in which n-propyl bromide was submitted as an ODS substitute, such as fire suppression or foam blowing, because of insufficient information. Effective 07/30/2007 [RIN 2060-AO10].</p> <p><u>In this rule, EPA is allowing n-propyl bromide to be used as a substitute for methyl chloroform (1,1,1-trichloroethane [TCA]) and CFC 113 in industrial cleaning equipment such as vapor degreasers, in-line cleaning systems, or automated equipment used for cleaning below the boiling point. EPA's SNAP program does not regulate, and this rulemaking does not address, manual cleaning such as pail-and-brush, hand wipe, recirculating over-spray ("sink-on-a-drum") parts washers, immersion cleaning into dip tanks with manual parts handling, or the use of squirt bottles.</u></p> | NASA programs should be aware that n-propyl bromide may now be used in cleaning equipment, but there may be toxicity issues with implementation. |
| Fed-2007-95 | CAA – ODS SNAP: n-propyl bromide | 05/30/2007 | 72 FR 30168 | Proposed Rule | <p>Protection of Stratospheric Ozone: Listing of Substitutes for Ozone Depleting Substances–n-Propyl Bromide in Adhesives, Coatings, and Aerosols [40 CFR Part 82]</p> <p>Proposes to list n-propyl bromide as an unacceptable substitute for methyl chloroform, CFC 113, and HCFC 141b when used in adhesives or in aerosol solvents. Also proposes to list n-propyl bromide as acceptable, subject to use conditions, as a substitute for methyl chloroform, CFC 113, and HCFC 141b in the coatings end use in a limited number of facilities. Comments are due 07/30/2007 [RIN 2060-AK26].</p> | |
| Fed-2007-96 | Climate Change Climate Change 2007: Synthesis Report | 05/21/2007 | 72 FR 28545 | Notice | <p>U.S. Climate Change Science Program, Department of State</p> <p>Requests expert review of the fourth and final volume of the IPCC Fourth Assessment Report, "Climate Change 2007: Synthesis Report." Three working group volumes and this synthesis report comprise the Fourth Assessment Report. Working Group I assessed the scientific aspects of the climate system and climate change; Working Group II assessed the vulnerability of socioeconomic and natural systems to climate change, potential negative and positive consequences, and options for adapting to it; and Working Group III assessed options for limiting greenhouse gas emissions and otherwise mitigating climate change. Comments are due 06/27/2007.</p> <p><u>More information on the IPCC and its publications may be found at http://www.ipcc.ch/.</u></p> | |

| RRAC PC Tracking Number | Subject | Date | Citation | Type Action | Description | Suggested Actions |
|-------------------------|---|------------|-----------------------------|------------------------|---|-------------------|
| Fed-2007-97 | Hazardous Materials Safety Advisory: Cylinders | 05/24/2007 | 72 FR 29203 | Notice–Safety Advisory | Pipeline and Hazardous Materials Safety Administration Safety Advisory: Removal From Service of Liner-Less, Fully-Wrapped Fiberglass Composite Cylinders Alerts owners and users of certain cylinders to potential safety problems and advises them to remove the cylinders from service. Recently, five 33-pound propane cylinders authorized under DOT-SP 13957 ruptured during storage at a facility in Miami, Florida. Requests information about any other failures or leakage of lading, involving all cylinders made under DOT-SP 13957, which include 10-pound, 20-pound, and 33-pound cylinders. | |
| Fed-2007-98 | NEPA White Sands Missile Range, New Mexico | 05/25/2007 | 72 FR 29306 | Notice | Record of Decision for the Final Programmatic Environmental Impact Statement for Defense Threat Reduction Agency Activities on White Sands Missile Range, New Mexico Announces availability of ROD for the proposed testing activities on WSMR proposed in the WSMR Programmatic Environmental Impact Statement. The purpose of the proposed action is to provide adequate test areas and facilities to evaluate the lethality effectiveness of weapon systems used against simulated enemy ground targets producing, storing, or controlling Weapons of Mass Destruction. | |

1.2 Status of Selected Continuing Actions in Progress

This section illustrates the status of selected actions the RRAC PC is actively tracking. Imminent actions are shown in red text. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

| Significant Dates | | Subject Action [RIN] | Type of Action | Comments |
|-------------------|------------|--|----------------|---|
| NPRM | 08/2007 | NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84] | Pre-rule | Possible impact to Ground Operations. |
| Final Action | 08/2008 | | | Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE. |
| NPRM | 09/2007 | ODS: Continued Use of ODS in Mission-critical Applications | Pre-rule | Space vehicle operational impacts. |
| Final Action | 01/2009 | | | NASA is currently in discussions with EPA regarding options to enable future use of relatively small quantities of ODSs for mission-critical applications. Latest discussions suggest that future production of ODSs will require the certified destruction of other, existing ODSs (contaminated, etc.) with an offset of approximately 15 percent. |
| ANPRM | 03/29/2007 | NESHAP: Risk and Technology Review, Phase II [2060-AN85] | Pre-rule | Possible space vehicle operational impacts. |
| NPRM | 08/2007 | | | Evaluation of residual risk remaining after implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities. |
| Final | 06/2009 | | | |
| NPRM | 06/2007 | Area Sources: Surface Coating and Paint Stripping [2060-AN21] | Pre-rule | Possible space vehicle operational impacts. |
| Final Action | 12/2007 | | | EPA has merged three area source categories into one standard: Autobody Refinishing; Plastic Parts and Products Surface Coating; and Paint Stripping. The resulting standard will regulate certain surface coating, cleaning, and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. For NASA, KSC and MSFC are major sources of HAPs. Other NASA Centers that have HAP emissions would be considered as area sources. It is possible that EPA will exclude NASA and DoD facilities from this rule and cover these area sources under the DLSME NESHAP instead. |

| Significant Dates | | Subject Action [RIN] | Type of Action | Comments |
|-------------------|---|--|----------------|---|
| NPRM | 01/03/2007 72 FR 69 | NESHAP General Provisions—Once In, Always In [2060-AM75] | Proposed Rule | Possible impacts to facilities, including space flight support facilities. |
| Final Action | 12/2007 | | | KSC and MSFC currently are major sources of HAPs; MAF recently attained “synthetic minor” status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also will require any facility switching from major source to area source status to comply with any applicable area source regulations. |
| NPRM | 03/07/2006 71 FR 11483 | SNUR: Perfluorinated Polymers [2070-AD58] | Proposed Rule | Possible space vehicle operational impacts. |
| Final Action | 01/2008 | | | Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule. |
| NPRM | 03/10/2006 71 FR 12311 | SNUR: Perfluoroalkyl Sulfonates [2070-AJ18] | Proposed Rule | Possible space vehicle operational impacts. |
| Final Action | 05/2007 | | | Rule would limit or eliminate uses of PFAS, a family of chemicals used as additives, waterproofing agents, etc. The rule effectively would allow the use of PFAS chemicals only as components of aviation hydraulic fluids; photoresist substances; anti-reflective coatings; coatings for surface tension, static discharge, and adhesion control related to imaging applications; or as a chemical intermediate. SSP Orbiter tile waterproofing materials previously incorporated a PFAS additive, but it has been replaced. It is unknown whether regulating additional PFAS-related chemicals would affect other operational materials. |
| NPRM | 08/11/2006 71 FR 46144 | DEA: Iodine [1117-AA93] | Proposed Rule | Space vehicle operational impacts. |
| Final Action | 06/2007 OMB completed draft final review with changes 05/02/2007 | | | The DEA is proposing to change the way iodine and its mixtures are regulated due to its uses related to illicit drug manufacturing. The rule would require additional controls and facility licensing for purchase, transport, and storage of iodine and mixtures containing more than 2.2 percent iodine. The space suits and International Space Station use such products for water disinfection and could have supply chain impacts in the future. |

1.3 Discussion of Significant Actions and Other Developments

1.3.1 Refiners Cut Sulfur Count in Diesel to Meet EPA’s Mandated Reductions

By 1 June 2007, refiners were required to begin producing low-sulfur diesel fuel for use in locomotives, ships, and nonroad equipment. Low-sulfur diesel fuel must meet a 500-ppm sulfur maximum content mandated by EPA’s Nonroad Diesel Rule. The rule calls for a gradual reduction in the sulfur content of diesel, with a final ultra-low standard of 15-ppm sulfur, to enable new advanced emission-control technologies for engines used in locomotives, ships, and other nonroad equipment. Fuels with higher sulfur content can damage such emission-control devices. Nonroad equipment includes the following:

- Compression-ignition engines—including equipment used construction
- Small spark-ignition engines—including lawn mowers, leaf blowers, chainsaws, etc.
- Large spark-ignition engines—including forklifts, generators, etc.
- Aviation-related engines—including aircraft, ground support equipment, etc.

The Nonroad Diesel Rule is a comprehensive national program to reduce emissions from future nonroad diesel engines by integrating engine and fuel controls as a system to achieve the greatest emission reductions. To meet these emission standards, engine manufacturers will produce new engines with advanced emission-control technologies that are intended to reduce exhaust emissions by more than 90 percent. For additional information on EPA’s Nonroad Diesel Rule, visit: <http://www.epa.gov/nonroad-diesel/2004fr.htm>.

1.3.2 Utah Joins Climate Change Pact against Global Warming

Utah has joined [The Climate Registry](http://www.theclimater registry.org) to fight climate change by signing an MOU designed to reduce greenhouse gases, which may cause climate changes. The newly formed organization will assist in measuring and tracking emissions of greenhouse gases. It also will provide the infrastructure to support voluntary, mandatory, and market-based emissions reduction. The Registry will begin to collect reporting data in January 2008. This is a voluntary program for Utah and provides businesses in the state with the opportunity to get credit for early greenhouse gas reductions. Charter members include the states of Arizona, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Utah, Vermont, Washington, Wisconsin, Wyoming, and the Campo Kumeyaay Nation. Two Canadian provinces, British Columbia and Manitoba, also have committed to participate. For more information regarding the pact, visit: <http://www.theclimater registry.org>.

Utah also has entered into the Western Regional Climate Action Initiative. Along with California, Arizona, New Mexico, Oregon, Washington, and British Columbia, Utah will aid in the establishment of priorities and a framework to cooperatively develop a system to fight global warming. Through the agreement, the states are able to share and receive academic research, effective policy initiatives, best practices, and technology.

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2007

The Clean Air Act Working Group will hold telecons on the following Wednesdays in 2007 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 18 July 2007
- 15 August 2007
- 19 September 2007
- 17 October 2007
- 14 November 2007
- 19 December 2007

2.0 State Regulatory Reviews

The following sections provide details regarding the regulatory actions reviewed for states in which NASA facilities are located.

2.1 Alabama State Regulatory Review

No items of interest were identified during this reporting period for Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California.

| Tracking Number | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions | | | | | | |
|--------------------------------------|--|----------------|-----------------------------|-------------------|--|------------------------|--|--------------------------------------|--|------------|---------------|--|
| CA-2007-28 | Air California SIP | 05/30/2007 | 72 FR 29886 | Direct Final Rule | EPA Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District Approves revisions to the San Joaquin Valley portion of the California SIP. These revisions apply to NOx emissions from certain boilers, steam generators, and process heaters; dryers, dehydrators, and ovens; natural gas-fired, fan-type residential central furnaces; and solid fuel-fired boilers, steam generators, and process heaters. Comments are due 06/29/2007. If adverse comments are submitted, this final rule will be withdrawn and further notice published. If no adverse comments are submitted, this final rule will be effective 07/30/2007. | | | | | | | |
| CA-2007-29 | Air In-Use Off-Road Diesel Vehicles | 05/25/2007 | Website | Proposed Rule | CARB In-Use Off-Road Diesel Vehicles The CARB conducted a public hearing on the subject proposed rule on 05/25/2007 in Del Mar, California. This proposal is intended to reduce toxic emissions from existing off-road diesel vehicles used in California in construction, mining, and other industries. If finalized, the rule would establish fleet average emission rates for diesel particulate matter and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Would apply to any person, business, or agency that owns or operates diesel-powered off-road vehicles in California with engines with maximum power of 25 hp or greater. CARB intends to continue discussions on this rulemaking at the following events, to be held at the Air Resources Board in Sacramento: <table><tr><td>06/18/2007 10:00 am</td><td>Public workgroup meeting to discuss overall costs of the proposed in-use off-road diesel vehicle regulation. Available via webcast.</td></tr><tr><td>07/16/2007 9:00 a.m. – 12:00 noon</td><td>Public workgroup to discuss costs the proposed rule may impose on individual fleets. Available via webcast.</td></tr><tr><td>07/26/2007</td><td>CARB meeting.</td></tr></table> More detailed information regarding the meetings may be found in the announcement posted at: http://www.arb.ca.gov/msprog/ordiesel/documents/June_Workgroup_Meeting_Notices.pdf Further information and documents related to this ongoing rulemaking are posted on CARB's website at: http://www.arb.ca.gov/regact/2007/ordiesl07/ordiesl07.htm Additional resources, including a spreadsheet fleet average calculator for compliance planning, are available at: http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm . | 06/18/2007 10:00 am | Public workgroup meeting to discuss overall costs of the proposed in-use off-road diesel vehicle regulation. Available via webcast . | 07/16/2007 9:00 a.m. – 12:00 noon | Public workgroup to discuss costs the proposed rule may impose on individual fleets. Available via webcast . | 07/26/2007 | CARB meeting. | |
| 06/18/2007 10:00 am | Public workgroup meeting to discuss overall costs of the proposed in-use off-road diesel vehicle regulation. Available via webcast . | | | | | | | | | | | |
| 07/16/2007 9:00 a.m. – 12:00 noon | Public workgroup to discuss costs the proposed rule may impose on individual fleets. Available via webcast . | | | | | | | | | | | |
| 07/26/2007 | CARB meeting. | | | | | | | | | | | |

| Tracking Number | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|-----------------|--|----------------|---|--------------------|--|-------------------|
| CA-2007-30 | Air Off-Road Large Spark-Ignition Engines | 05/18/2007 | 13 CCR 2775-2789 | Rule Update | CARB Additional Off-Road Vehicles and Engines Pollution Control Requirements Rule update applies to "Large Spark-Ignition Engine Fleet Requirements." The regulation establishes gradually declining fleet average emission rates for hydrocarbons and NOx. Operators of medium and large forklift fleets and non-forklift fleets with more than three pieces of equipment need to comply with the fleet average emission level standards by the specified compliance dates. In addition, the rule establishes compliance requirements for fleet operators. CARB also has adopted updates to the verification procedure, warranty, and in-use compliance requirements for retrofits to control emissions of hydrocarbons and NOx from off-road large spark-ignition engines. | |
| CA-2007-31 | Air Off-Road Vehicles and Engines | 05/31/2007 | 13 CCR 2451 – 2456, 2460 | Rule Modification | CARB Off-Road Vehicles and Engine Pollution Control Requirements Rule modification affects Article 5, Portable Engine and Equipment Registration, Sections 2451 through 2465, which establishes a statewide program for the registration and regulation of portable engines and engine-associated equipment (portable engines and equipment units). In addition, Section 2460 has been modified to include inspections of registered engines and equipment units by each district. Effective date is 04/27/2007. | |
| CA-2007-32 | Hazardous Materials Environmental Fee | 05/11/2007 | California Regulatory Notice Register, 2007, 19-Z, page 809 | Proposed Rule | Department of Toxic Substances Control Environmental Fee Proposes to adopt California Code of Regulations, Title 22 , Division 4.5, Chapter 19, Section 69269.1. The proposed regulations seek to clarify Health and Safety Code Section 25205.6 by defining key terms associated with the environmental fee and to identify authoritative references for materials that pose a significant present or potential hazard to human health or safety, or to the environment. The proposal also will specify hazardous materials that cause each two-digit SIC code to be included on the list subject to the environmental fee. A public hearing is scheduled on 06/27/2007 at 10 a.m. in the Byron Sher Auditorium, 2nd Floor, 1001 "I" Street, Sacramento, California. Comments are due 06/27/2007. Additional information is available as follows: <ul style="list-style-type: none"> ▪ 45-day Public Notice and Comment Period ▪ Initial Statement of Reasons ▪ Proposed Text | |
| CA-2007-33 | Hazardous Waste | 05/23/2007 | 22 CCR, 66261.1-66261.126, 66264.1-66264.1110, 66265.1-66265.1110, 66267-66267.124, 66270.1-66270.73, 67386-67386.1 | Rule Update | Department of Toxic Substances Control Environmental Health Hazard Standards for the Management of Hazardous Waste Rule updates affect Division 4.5, Chapters 11, 14, 15, 17, 20, and 34. This rule has been updated to exclude applicability to a person engaged in treatment or containment activities during immediate response to emergency situations involving military munitions. In this case, the responding military emergency response specialist's organization "shall retain records for three years identifying the dates of the response, the responsible persons responding, the type and description of material addressed, and its disposition." | |
| CA-2007-34 | Hazardous Materials, Hazardous Waste | 05/29/2007 | 27 CCR 15100-15610 | Rule Modifications | Unified Hazardous Waste and Hazardous Materials Management Program Changes have been made to the definitions, application, certification, and operations of the Unified Program. | |

| Tracking Number | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|-----------------|---------|----------------|--|---------------|--|-------------------|
| CA-2007-35 | Water | 05/18/2007 | California Regulatory Notice Register, 2007, Number 20-Z, page 862 | Proposed Rule | <p>State Water Resources Control Board Underground Storage Tank Regulations</p> <p>Proposes to amend Sections 2621, 2632, 2634, 2635, 2636, 2637, 2638, 2661, 2666, 2711 and 2713, and to delete the text, forms and instructions in Appendix V in Title 23 of the CCR. The proposed amendments to Title 23 would do the following:</p> <ul style="list-style-type: none"> Amend the references to UST operating permit application "Form A," "Form B," and "Form C" throughout Title 23, Chapter 16, to reflect concurrent regulatory changes to the title and content of these forms that were previously revised and relocated from Title 23, Appendix V (following § 2714) to CCR, Title 27, Division 3, Subdivision 1, Chapter 6. Specify that UST owners and operators use a new standard form for submitting new and previously required information on procedures for monitoring. The new standard form is being concurrently adopted into CCR, Title 27, Division 3, Subdivision 1, Chapter 6. Specify that local regulatory agencies use a new reporting format for submitting information regarding UST statistics, inspections, and enforcement activities. The new standard form is being concurrently adopted into CCR, Title 27, Division 3, Subdivision 1, Chapter 6. Make several non-substantive clarifications and corrections to unclear sections or erroneous citations and references within Title 23, Chapter 16. <p>A Public Hearing regarding the proposed amendments is scheduled for 07/16/2007 at 1:30 p.m., in the Byron Sher Auditorium at 1001 "I" Street, Sacramento, California. Comments are due 07/16 2007.</p> | |

2.2.1 Other Information: New Regulations Restrict Purchase of Electricity from Power Plants that Exceed Greenhouse Gas Emission Limits

On 23 May 2007, the [California Energy Commission](#) approved [regulations](#) that limit the purchase of electricity from power plants that fail to meet strict greenhouse gas emission standards. The new regulations, which implement the requirements of Senate Bill 1368, prohibit the state's publicly owned utilities from entering into long-term financial commitments with plants that have greenhouse gas emissions that exceed 1,100 pounds of CO₂ per megawatt hour.

The implementation of SB 1368 supports the Energy Commission's further implementation of Assembly Bill 32, which calls for California to reduce emissions of carbon dioxide and other gases by 25 percent by 2020. For more information, see the news release located on the CEC website at: http://www.energy.ca.gov/releases/2007_releases/2007-05-23_sb1368_regulations.html.

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|------------------------|----------------|-------------------------------------|-----------------------|---|--|
| FL-2007-39 | Air Definitions | 05/25/2007 | FAW Notice #4149871 | Notice of Development | Chapter 62–FDEP 210.200–Definitions The proposed rule development would amend definitions of certain terms used in the FDEP's air permitting program, consistent with recent revisions to EPA regulations. The definitions of "Major Stationary Source" and "Significant Emission Rate" have been modified to include nitrous oxides. Comments are due 06/15/2007. | |
| FL-2007-40 | Air General Provisions | 05/25/2007 | FAW Notice #4133381 | Proposed Rule | Chapter 62–FDEP 204–Air Pollution Control General Provisions The rule amendments update, through 05/31/2007, FDEP's adoption-by-reference of air pollution regulations promulgated by EPA at 40 CFR Parts 50, 51, 53, 58, 63 and 74, as described below: <ul style="list-style-type: none"> ▪ 40 CFR 50, National Primary and Secondary Ambient Air Quality Standards: Adopted Appendix K: Interpretation of NAAQS for PM10; Appendix L: Reference Methods for Determination of Fine PM as PM2.5 in the Atmosphere; Appendix N: Interpretation of NAAQS for PM2.5; and Appendix O: Reference Methods for Determination of Coarse PM as PM10-2.5 in the Atmosphere. ▪ 40 CFR 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Subpart F, Procedural Requirements Updated list of compounds considered to be VOCs. ▪ 40 CFR 53, Ambient Air Monitoring References and Equivalent Methods, Subpart A, General Provisions: Updated requirements for reference method determinations, processing of applications, and conditions of designation. ▪ 40 CFR 53, Ambient Air Monitoring References and Equivalent Methods, Subpart C, Procedures for Determining Comparability Between Candidate Methods and Reference Methods: Updates include the deletion of 53.31 Test Conditions, designation of classifications of test procedures for methods for PM10, PM2.5, and PM10-2.5, and new figures for suggested formats for test results reporting and illustration of the slope and intercept limits for classes of PM2.5 and PM10. ▪ 40 CFR 53, Ambient Air Monitoring References and Equivalent Methods, Subpart E, Procedures for Testing Physical (Design) and Performance Characteristics of Reference Methods and Class I and Class II Equivalent Methods for PM2.5 or PM10-2.5: Updates specific tests and requirements for test results that must be provided to EPA to demonstrate that a PM2.5 or PM10-2.5 sampler meets all design and performance specifications. ▪ 40 CFR 58, Ambient Air Quality Surveillance, Subpart A, General Provisions: Update to 58.2 Purpose includes deletions of any references to SLAMS, NAMS, and PAMS. ▪ 40 CFR 58, Ambient Air Quality Surveillance, Subpart D, Comparability of Ambient Data to NAAQS: Rule amendments consist of deletions of all references to NAMS and NAMS requirements. 58.30 discusses new rule considerations for data comparisons to the NAAQS. ▪ 40 CFR 58 , Ambient Air Quality Surveillance, Subpart G, | NASA facilities and programs may wish to review for applicability. |

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|---|----------------|-------------------------------------|--------------------------|--|-------------------|
| | | | | | <p>Federal Monitoring: References to NAMS have been deleted from the subpart. Appendix A: Quality Assurance Requirements for SLAMS, SPMS, and PSD Air Monitoring has been inserted into the subpart.</p> <ul style="list-style-type: none"> 40 CFR 58, Ambient Air Quality Surveillance: Adopted Appendix C: Ambient Air Quality Monitoring Methodology. <p>Comments are due 06/15/2007.</p> | |
| FL-2007-41 | Air PSD, PALs | 05/25/2007 | FAW Notice #4150453 | Notice of Development | <p>Chapter 62–FDEP 212.400 PSD</p> <p>Chapter 62–FDEP 212.720 Actuals PALs</p> <p>The proposed rule development would amend FDEP's PSD air permitting rule, consistent with recent revisions to EPA regulations. In addition, FDEP is proposing to clarify that, in providing for public participation in the PSD permitting process, applicable state administrative procedures are followed rather than federal procedures, and that, in applying the provisions of 40 CFR 52.21 cited from within FDEP's PSD and PAL permitting rules, the term "Administrator" shall mean "Department." Comments are due 06/15/2007.</p> | |
| FL-2007-42 | Air Stationary Sources and Emission Sources | 05/25/2007 | FAW Notice #4134448 | Notice of Development | <p>Chapter 62–FDEP 296–Stationary Sources–Emission Standards</p> <p>The proposed rule development involves amendments to Chapter 62-296, F.A.C., to implement the reasonable progress portion of the EPA's regional haze regulations. Pursuant to these regulations, FDEP is required to ensure that certain sources of visibility-impairing pollutants in Florida limit their emissions such that reasonable progress is made toward the goal of achieving natural visibility conditions in federal Class I areas. New Rule 62-296.341, F.A.C., would be created to set forth procedural requirements by which reasonable progress determinations will be made for affected sources. Draft rule language should be available by 06/06/2007 at http://www.dep.state.fl.us/Air/rules/regulatory.htm.</p> | |
| FL-2007-43 | Air Stationary Sources, General Requirements, and Preconstruction Review | 05/25/2007 | FAW Notice #4167331 | Notice Hearing | <p>Chapter 62–FDEP 210–Stationary Sources–General Requirements</p> <p>Chapter 62–FDEP 212–Stationary Sources–Preconstruction Review</p> <p>Pursuant to the public hearing requirements of 40 CFR 51.102, FDEP will hold a public hearing on its proposal to submit to EPA three proposed revisions to Florida's SIP under the federal CAA. One revision is a set of amendments to Rule Chapters 62-210, and 62-212, F.A.C., that, if adopted by FDEP, would update and clarify the FDEP's air permitting rules to be consistent with recent revisions to EPA regulations. Related to these rule amendments is a proposed SIP revision confirming that the FDEP is complying with the provisions of Section 110(a)(2)(D)(i) of the CAA with respect to its "prevention of significant deterioration" air permitting program and plans for implementing EPA's regional haze regulations.</p> | |
| FL-2007-44 | Energy Renewable Energy Technologies and Energy Efficiency | 06/01/2007 | FAW Notice #4217189 | Proposed Rule–Amendments | <p>Chapter 62–FDEP 16–Renewable Energy Technologies and Energy Efficiency</p> <p>Amends the subject proposed rule, which involves the creation of a new rule Chapter 62-16, F.A.C., related to implementation of the Florida Renewable Energy Technologies and Energy Efficiency Act, Sections 377.801 to .806, F.S (Florida Senate Bill 888, signed on 06/19/2006). The proposed rule provides for the administration of the Renewable Energy Technologies Grants Program and the Solar Energy Systems Incentives Program, and implements the provisions of the corporate tax incentives provided for renewable energy technologies pursuant to Section 220.192, F.S.</p> | |

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|--|----------------|--|-----------------------|--|-------------------|
| FL-2007-45 | Water St John's River Basin Management Action Plans | 05/25/2007 | FAW Notices #4179553 #4171599 | Notice Meetings | Chapter 62–FDEP Lower St. John's River TMDL Meetings The following meetings are scheduled to address topics related to the St. John's River Basin Management Action Plan project: <ul style="list-style-type: none"> Lower St. John's River TMDL Executive Committee and Stakeholders Group Scheduled for 06/14/2007 at 9:00 a.m.; to be held at the Northeast District Office, Conference Rooms A & B, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256. Lower St. John's River TMDL Technical Working Group Scheduled for 06/13/2007, 1:30 p.m.; to be held at the Northeast District Office, Conference Room A, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256. | |
| FL-2007-46 | Water Storm Water Permitting | 05/25/2007 | FAW Notice #4173345 | Notice of Development | Chapter 62–FDEP 347–Storm Water Permitting FDEP, in coordination with the water management districts, proposes to develop a new Chapter 62-347, F.A.C., to develop updated storm water quality treatment design and performance standards that would apply to new systems. These design and performance standards would update the existing criteria and reflect new research regarding design and performance standards, and particularly today's understanding of the impact of nutrient discharges from surface water management systems on water quality. The goal of the rule is to provide storm water quality treatment design and performance standards that can be applied statewide. No draft proposal is available at this time. | |
| FL-2007-47 | Water Surface Water | 05/25/2007 | FAW Notice #4137649 | Proposed Rule | Chapter 62–FDEP 303–Identification of Impaired Surface Waters The proposed revisions change the assessment methodology for determining surface water quality impairment due to elevated fecal coliform levels. The proposed revisions are being adopted as changes to Florida's water quality standards. The proposed revisions also include a new delisting provision for waters listed for synthetic organics and pesticides. Comments are due 06/15/2007. | |

2.4 Hawaii State Regulatory Review

No items of interest were identified during this reporting period for Hawaii.

2.4.1 Other Information: Hawaii among the First States to Join the National Climate Registry

The State of Hawaii Department of Health issued an announcement that Hawaii has joined [The Climate Registry](#) as one of the founding members, along with 25 other states and one tribe. The newly formed *Climate Registry* will serve as a national platform to assist states and tribes in measuring, tracking, and managing emissions of greenhouse gases and help in developing future federal climate change programs. Hawaii's membership in the registry demonstrates the state's strong commitment to greenhouse gas reduction and will enable state agencies to manage greenhouse gas emissions and reduction programs more effectively. For further information, please refer to [the press release](#).

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|--|----------------|------------------------|-----------------------------------|---|-------------------|
| LA-2007-13 | Notification Requirements and Reportable Quantity List | 05/20/2007 | LAC 33 | Notice of Intent Proposed Rule | Notification Regulations and Procedures for Unauthorized Discharges [Part I Subpart 2 Chapter 39] (LAC 33:I.3905, 3919, 3925, and 3931)] Proposes rule to update the state's Reportable Quantities list, to clarify certain notification requirements, to provide for submittal of periodic update reports concerning certain unauthorized discharges, and to streamline certain reporting requirements. | |

2.6 Maryland State Regulatory Review

No items of interest were identified during this reporting period for Maryland.

2.7 Mississippi State Regulatory Review

No items of interest were identified during this reporting period for Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|--|----------------|---------------------------------|--------------------|--|-------------------|
| NM-2007-07 | Air Acid Rain Permits | 05/31/2007 | NMAC 20.2.84 | Amendments Adopted | Amendment to Rule: Air Quality–Acid Rain Permits Revises Regulation 20.2.84 NMAC to incorporate the federal requirements of 40 CFR 72 , <i>Permits Regulation</i> and 40 CFR 76 , <i>Acid Rain Nitrogen Oxides Emission Reduction Program</i> , as amended through 05/18/2005. Effective date is 06/15/2007. | |
| NM-2007-08 | Air Emission Standards for Hazardous Air Pollutants | 05/31/2007 | NMAC 20.2.78 | Amendments Adopted | Air Quality–Emission Standards for Hazardous Air Pollutants [40 CFR Part 61] Revises Regulation 20.2.78 NMAC to incorporate the federal requirements of 40 CFR 61 , <i>National Emission Standards for Hazardous Air Pollutants</i> , as amended through 11/30/2006. Effective date is 06/08/2007. | |
| NM-2007-09 | Air Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants | 05/31/2007 | NMAC 20.2.82 | Amendments Adopted | Air Quality–Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants Revises Regulation 20.2.82 NMAC to incorporate the federal requirements of 40 CFR 63, <i>National Emission Standards for Hazardous Air Pollutants for Source Categories</i> , as amended through 11/30/2006. Effective date is 06/08/2007. | |
| NM-2007-10 | Air New Source Performance Standards | 05/31/2007 | NMAC 20.2.77 | Amendments Adopted | Air Quality–New Source Performance Standards [40 CFR Part 60] NMED is revising Regulation 20.2.77 under the NMAC to incorporate the federal requirements of 40 CFR Part 60 , <i>Standards of Performance for Stationary Sources</i> , as amended through 11/30/2006. Effective date is 06/15/2007. EPA standards were incorporated into New Mexico state requirements except certain requirements for new residential wood heaters and coal-fired electric steam-generating units. | |

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

| Tracking No. | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|--------------|--------------------------------------|----------------|---------------------------------|-------------|--|--|
| OH-2007-35 | Air Ohio SIP | 05/16/2007 | OAC 3745-14 | Draft Rule | <p>Public Notice–Draft Amendments to OAC Chapter 3745-14</p> <p>OEPA has completed draft amendments to rule language in OAC Chapter 3745-14, "Nitrogen Oxides–Budget Trading Program." These rules are being amended primarily as a result of the 5-year rule review. These rules are related to Ohio's NOx SIP call (NOx Budget Trading program) for the NOx reduction during the ozone season from electrical generation units and large industrial boilers. OEPA is accepting comments about the amended rule language through 07/02/2007. See the synopsis and the interested party notice for additional information regarding the draft language and details on submitting comments.</p> <p>Proposed changes apply to facilities that have electrical generation units and large industrial boilers.</p> | NASA facilities should consider reviewing for applicability. |
| OH-2007-36 | EPCRA TRI Reporting | 05/29/2007 | OEPA Website | Notice | <p>OEPA Accepts TRI Reports through the CDX</p> <p>Ohio facilities can now submit their TRI information to both EPA and the Ohio EPA/Toxic Release Inventory Program simultaneously through the federal CDX using the TRI-ME software. CDX will automatically forward the data to the State of Ohio. This method eliminates the need to generate a diskette or CD to mail separately to OEPA. EPA's TRI Reporting Forms and Instructions and related guidance documents also are available at EPA's website at www.epa.gov/tri/report/software/index.htm.</p> | |
| OH-2007-37 | EPCRA TRI Reporting | 05/22/2007 | OEPA Website | Notice | <p>Toxic Releases Reported by OEPA</p> <p>TRI Report for 2005 is now available. Section 313 of the EPCRA provides for the collection and public release of annual TRI reports regarding the release of toxic chemicals within the community. The 2005 TRI report, including county-specific data, and past reports are available online at: http://www.epa.state.oh.us/dapc/tri/tri.html.</p> | |
| OH-2007-38 | Wetlands Isolated Wetlands Permit | 05/29/2007 | ORC 6111.025(c) | Report | <p>Isolated Wetland Permits and 401 Water Quality Certifications in Ohio–State Fiscal Year 2006</p> <p>The Isolated Wetland Permits and 401 Water Quality Certifications in Ohio–State Fiscal Year 2006 report is now available electronically. It describes isolated wetland permitting and 401 water quality certification activities, along with resulting mitigation for projects acted upon by OEPA during the period beginning on 07/01/2005 and ending 06/30/2006 (end of the State's Fiscal Year). To provide a more complete picture of the impacts generated by permitting activities in the state, information regarding individual 401 water quality certifications, as well as projects that are covered by OEPA certification of the COE NWP and that address impacts to non-isolated waters, has been included.</p> | |

2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas.

| Tracking Number | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|-----------------|-----------------------------------|----------------|--|---------------|---|-------------------|
| TX-2007-18 | Air Quality Low Emission Fuels | 05/21/2007 | 32 TexReg 2865 | Adopted Rule | Revisions to Requirements of Low Emission Diesel Regulations [30 TAC 114.318] Extends the 12/31/2006, expiration date by one year to 12/31/2007 for all alternative emission reduction plans that were approved prior to 12/16/2005 and are used to demonstrate compliance with Low Emissions Diesel control requirements. The deadline has been extended to provide producers of biodiesel blends additional time to complete the testing necessary to ensure compliance with the Low Emissions Diesel regulations. Effective date is 05/31/2007. | |
| TX-2007-19 | TPDES Consolidate Permits | 05/21/2007 | 32 TexReg 2821 32 TexReg 2824 | Proposed Rule | Revisions to Texas Pollutant Discharge Elimination System program [30 TAC 305.539, 30 TAC 321] Removes references to 30 TAC Chapter 321, concerning the TPDES program that are obsolete and no longer applicable. Also repeals in their entirety the following subchapters of 30 TAC 321 that have been replaced by general permits: <ul style="list-style-type: none">▪ Subchapter G, Hydrostatic Test Discharges▪ Subchapter H, Discharge to Surface Waters From Treatment of Petroleum Substance-contaminated Waters▪ Subchapter J, Discharges to Surface Waters From Ready-mixed Concrete Plants and/or Concrete Products Plants or Associated Facilities▪ Subchapter K, Concentrated Animal Feeding Operations▪ Subchapter M, Discharges to Surface Waters From Petroleum Bulk Stations and Terminals▪ Subchapter O, Discharges From Aquaculture Production Facilities Comments are due 06/25/2007. | |

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia.

| Tracking Number | Subject | Date Published | Ref. Page | Type Action | Description | Suggested Actions |
|-----------------|-------------|----------------|-----------------------------|-------------|--|---|
| VA-2007-13 | Air Quality | 06/01/2007 | 72 FR 30490 | Final Rule | Approval and Promulgation of Air Quality Implementation Plans; Virginia; Redesignation of the Hampton Roads 8-hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base-Year Inventory [40 CFR Parts 52 and 81] EPA approval of Virginia's request to redesignate the Norfolk-Virginia Beach-Newport News (Hampton Roads) area as being in attainment for the 8-hour ozone NAAQS and establish an 8-hour maintenance plan through 2018, to supersede the previous 1-hour maintenance plan. Also approves Virginia's proposed motor vehicle emission budgets for the purposes of transportation conformity, and the 2002 base year emissions inventory as revisions to the State Implementation Plan. Effective date is 6/1/2007. For more information, see the EPA News Release. | NASA and LaRC should be aware of these changes. |